

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
AKIHIRO YAMANAKA, et al.) : Examiner: J. Nguyen
Application No.: 10/066,623) : Group Art Unit: 2861
Filed: February 6, 2002)
For: LIQUID SUPPLY SYSTEM, INK)
JET RECORDING HEAD, INK :
JET RECORDING APPARATUS)
AND LIQUID FILLING METHOD : October 16, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In response to the August 19, 2003 Requirement To Restrict, the period for response to which having been extended to October 19, 2003 by the accompanying Petition For Extension Of Time, Applicants hereby provisionally elect to prosecute the Group I claims, namely Claims 1 to 48 and 52. The Requirement To Restrict is, however, traversed.

Traversal is on the ground that there would not be undue burden in examining both groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent of distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be undue burden in examining both groups of claims in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination. Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Registration No. 32622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

CA_MAIN 71731 v 1